



consumer register

A supplement to Consumer News

Vol. 5, No. 16, Aug. 15, 1975

Model year designations

Federal Trade Commission (FTC) is prohibiting car & truck manufacturers & dealers from changing the model year of a particular car or truck once it has been assigned a model year. This means that a truck, for example, once designated as a 1975 model, could not later be sold as a 1976 or later model. There is no FTC requirement that any vehicle be given a model year designation.

FTC's ban is based on findings that model year designations for trucks, whose design may change little from year to year may be changed to keep them "new."

National Highway Traffic Safety Administration (NHTSA) has been requiring date of manufacture on permanent certification labels since 1969 & has even specified where this information should appear:

- On cars & trucks, label will ordinarily be on the hinge pillar, door-latch post, door-facing next to driver's seating position or on the left side of the instrument panel.
- On motorcycles, label will generally be attached near the intersection of the steering post with the handle bars.

Consumers who want to know when their vehicles were made should examine these labels.

Details—*Federal Register*: June 3, page 23845.

Truck routes

Interstate Commerce Commission (ICC) is now allowing truckers to deviate from their assigned routes as long as routes are no more than 20% shorter than the assigned routes.

Purpose of the amended rule, which went into effect July 1, is to decrease fuel consumption & increase operating efficiency.

In the past, truckers had to stay on their assigned routes even if those routes were longer than others in order to keep one trucking firm from encroaching on the operating territory of another. However, after the Arab oil embargo of 1973, ICC modified that rule to permit truckers to take routes no more than 15% shorter than the assigned routes.

Details—*Federal Register*: June 11, page 24906.

Hearing aids

Consumers & others have at least until Aug. 25 to comment on Federal Trade Commission's (FTC) proposal to regulate the hearing aid industry.

FTC says it has reason to believe that (1) many consumers buy hearing aids that do not help them very much, & (2) they cannot always tell—without a trial period of using the aid in various situations—such as at home, at work, or at an entertainment event—if any hearing aid will help them.

The proposed rule, if adopted, would:

- Require seller to give consumer the right to cancel the hearing aid purchase within 30 days &—except for a limited cancellation charge—get his money back (1) unless a written recommendation for a specific hearing aid is made by a medical doctor or audiologist who has no financial interest in selling hearing aids, or (2) unless a consumer is replacing a damaged or worn-out hearing aid with an identical model). [An "audiologist" specializes

in the hearing measurement & rehabilitation of persons with hearing difficulties who cannot be helped by medical treatment.]

- Require that certain information be disclosed to consumers, including the fact that many persons with hearing loss will not receive any significant benefit from the use of any hearing aid.

- Prohibit certain terms & selling techniques that might mislead or deceive consumers—such as (1) using some of the following advertising terms: "hearing aid audiologist," "hearing center" or "institute," (2) using deceptive demonstrations to indicate a hearing aid's performance, & (3) calling on a prospective buyer without having obtained his written consent.

FTC is particularly interested in learning about consumers' experiences with hearing aids. For example, it would like to know if some of the above provisions will protect consumers against selling abuses, & if so, what kind of selling abuses. It would also like to know if 30 days gives a new user enough time to decide whether to cancel his order, & if he does cancel, would a \$40-\$50 cancellation charge be reasonable?

Details—*Federal Register*: June 24, page 26646. CONSUMER NEWS: June 15. Send comments to Special Assistant Director for Rulemaking, Federal Trade Commission, Washington, DC 20580.

Bus service

Aug. 31 is deadline for comments on Interstate Commerce Commission's (ICC) proposal to improve bus service to consumers.

ICC says its field investigations—as well as an increasing number of consumer complaints about bus service—indicate a need to propose the following remedies:

- More responsive information to passengers about schedules, tickets, fares, baggage & other services—including 24-hour toll-free telephone information service.

- Baggage security & safeguards to provide immediate search for lost or misplaced baggage, & faster settlement of lost baggage claims.

- Terminals at cities or communities having populations of 15,000 or more, & minimum terminal facilities for comfort & safety of passengers—such as telephones, seating facilities, temperature-controlled waiting rooms & food.

- Notice before changes in schedules, including changes about reservations & seating systems. (At present there are no standards governing schedule changes on intercity routes—& consumers have not had enough time to plan for such changes or obtain information on substitute service.)

- Temperature-controlled buses equipped with clean rest rooms.

- Special help & terminal facilities for handicapped & elderly passengers.

Public hearings will be held in various cities throughout the U.S. Any consumer or group wishing to participate in the hearings should send a letter before Aug. 31 to the address listed below. The letter should state general nature of oral presentation & indicate which city is preferred. Participation at public hearing may be in addition to written consumer comments on bus service.

Details—*Federal Register*: July 17, page 30134. Send comments to Secretary, Interstate Commerce Commission, Washington, DC 20423.

IUDs

Sept. 2 is deadline for comments on Food & Drug Administration's (FDA) proposal to require labeling of intrauterine birth-control devices (IUDs) to provide information to both doctor & patient.

Information required in the pamphlet for doctor's use would include such items as effectiveness, warnings, precautions, insertion & removal techniques & adverse reactions. Doctor must supply an additional brochure to each patient in advance of insertion of the IUD, & doctor must also explain information in detail to the patient.

A brochure, written specifically for potential users of IUDs, would explain both the advantages & disadvantages of the device. It also would alert women to the necessity of seeing their doctor immediately if they suspect they have become pregnant while wearing the device so that they can have the IUD removed.

IUDs are approximately 95% effective in preventing pregnancy, but their use can produce dangerous results, such as perforation of the uterus, pelvic inflammatory disease & septic abortion. In recent years, 43 deaths have been attributed to IUDs.

If FDA puts this proposal into effect, it would mean that the IUD, the birth control pill & aerosolized asthma drugs would be only prescription products required to have specific labeling for the user.

Details—*Federal Register*: July 1, page 27796; July 15, 1974; page 25967. CONSUMER NEWS: Feb. 1; CONSUMER REGISTER: Aug. 1, 1974. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Warranties

Sept. 15 is deadline for comments on Federal Trade Commission's (FTC) proposal to make warranties more understandable & more readily available to consumers & to improve handling of warranty complaints. Proposed rules would implement the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (Public Law 93-637), which became law in January.

Law does not require sellers to offer any warranties on their products. However, if warranties are offered, they would have to make the following disclosures in writing for consumer products costing more than \$5:

- Name & address of warrantor.
- Who is protected by warranty—such as the first purchaser.
- What warranty covers & what it excludes; when it begins & when it ends.
- What warrantor will do in case of defect or failure—such as replacing, repairing or refunding—and the time within which warrantor will take care of any obligation.
- What consumer must do in order to secure warranty performance, including paying any expenses.
- What is meant by "life" or "lifetime" guarantees.
- If owner registration card is used, warrantor must state clearly if return of the card is a condition of warranty coverage.
- Statement of implied warranty rights—product

must be fit for the ordinary purposes for which such goods are used.

Warrantors would have to conspicuously disclose the fact that complete warranties are available in the store for consumers to see. (Indexed binders would have to be available to those shoppers in each department; binders would have to contain up-to-date copies of each warranty.)

Catalog, mail-order & door-to-door sellers would have to make pre-sale warranty disclosures.

FTC is also proposing to establish minimum standards for a system by which sellers would handle complaints about warranties. Each warranty would have to explain the complaint procedure.

FTC would like to hear about consumers' warranty experiences. Persons who are interested in participating in public hearings on the proposed rules should notify—by Sept. 8—the Special Assistant Director for Rulemaking [address below]. Hearings will be Sept. 15 in Washington, Sept. 22 in Chicago & Sept. 29 in Los Angeles.

Details—*Federal Register*: July 16, page 29892. CONSUMER NEWS: Feb. 1. Send comments to Special Assistant Director for Rulemaking, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580.

Park symbols (continued)

CONSUMER REGISTER: Aug. 1 summarized Interior Dept.'s proposal to adopt pictured symbol signs for visitors to national parks. Four examples were pictured, & consumers were asked to figure out what they meant. Here are answers:

1. To designate a point of interest.
2. To designate a place to deposit litter.
3. To designate area where rock collecting is permitted.
4. To report availability of boat tours.



Details—*Federal Register*: July 3, page 28088.

This listing, prepared by Marion Q. Ciaccio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, & it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by Office of the Federal Register, National Archives & Records Service, General Services Administration. Subscription is \$5 a month or \$45 a year & may be ordered from Superintendent of Documents, Government Printing Office, Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Free copies of *Federal Register* may be available in libraries.

For you

These forms are for you to use, if you wish, in commenting on any Federal agency proposal summarized in CONSUMER REGISTER. Of course, if you cannot get your comments on the front & back of a form, feel free to continue your comments on additional paper.

Send comment forms to addresses listed in the summaries.

CONSUMER NEWS is publishing these forms in cooperation with Food & Drug Administration (FDA).

Rate Register

Trains

● On Aug. 5, a Federal judge ruled that National Railroad Passenger Corp.—known as Amtrak—must abide by Interstate Commerce Commission's (ICC) rule to pay consumers full value for lost, stolen or damaged baggage. Amtrak presently places a \$500 limit on its baggage liability. It has until Sept. 6 to comply with the ruling.

Amtrak is free from ICC regulation as far as rates & routes are concerned, but ICC has authority to regulate the adequacy of intercity passenger-train service.

Planes

● On July 28, Pan American World Airways (PanAm) asked Civil Aeronautics Board (CAB) to approve a new transpacific round trip economy class fare that would range from 36% to 49% below present economy fares. If approved, new fares would go into effect Sept. 1.

PanAm wants new fares so it can compete better with low fares of Air Siam & Korean Air Lines, which, PanAm says, are taking a disproportionate share of its business.

New fares would apply only to round trip travel originating in the U.S.—including Honolulu. Cities affected are Tokyo, Taipei, Hong Kong & Bangkok. For example, present round trip, 7-to-21-day excursion fare from New York to

(continued next page)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

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(over)

Rate Register

(continued)

Tokyo is \$1207. Proposed economy fare (good from 30 to 120 days) would be \$850.

● Beginning Sept. 13, Civil Aeronautics Board (CAB) will liberalize charter flights regulations to benefit consumers interested in a vacation package at one place—instead of the present requirement for 3 stops.

This "vacation package" includes hotel, baggage handling & transfer charges. Travelers will not have to belong to any organization to take advantage of the low-cost air travel. But they will have to make reservations 15 days in advance for flights within North America (staying a minimum of 4 days & 3 nights) & 30 days in advance for international flights (staying a minimum of 7 days & 6 nights). After Oct. 1, 1978, reservations will have to be made only 7 days in advance for North American flights.

Details—*Federal Register*: April 16, page 17039; Dec. 2, 1974, page 41751; Nov. 8, 1974, page 39572. RATE REGISTER: May 1. CONSUMER REGISTER: Dec. 15, 1974.

● On Aug. 5, Eastern Airlines asked Civil Aeronautics Board (CAB) to approve a 3.5% increase for all domestic air fares, effective Sept. 15. Eastern also asked for an 8% increase in fares between mainland U.S. & Puerto Rico & Virgin Islands—citing higher cost of jet fuel in both instances.

At the same time, Eastern asked CAB to make permanent the temporary 4% increase for all of the nation's major domestic airlines. On June 13, CAB extended the temporary increase until Jan. 15, 1976. [RATE REGISTER: July 15].

